

# Notice of Allowability

Application No.

10/811,395

Examiner

Helene Klemanski

Applicant(s)

TAGUCHI, TOSHIKI

Art Unit

1755

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed September 25, 2006 and interview on December 5, 2006.
2. ☒ The allowed claim(s) is/are 1-3, 5-8 and 11-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20061205.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Helene Klemanski*  
HELENE KLEMANSKI  
PRIMARY EXAMINER  
GROUP 1700

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jennifer R. Leach on December 5, 2006.

The application has been amended as follows:

Claim 4 has been canceled.

In claim 7, line 1, the phrase "3 to 6" has been replaced with the phrase "3, 5 or 6".

### **Reasons For Allowance**

The following is an examiner's statement of reasons for allowance: This application teaches: (a) an ink for inkjet comprising an aqueous medium, at least one of dyes of the formulas (1) to (4) as claimed by applicants dissolved or dispersed in the aqueous medium and at least one of alkylene diols where one alkylene group has at least 3 carbon atoms or their homologues dissolved or dispersed in the aqueous medium; (b) an ink for inkjet comprising an aqueous medium, at least one of dyes of the formulas (1) to (4) as claimed by applicants dissolved or dispersed in the aqueous medium and at least one polymer compound dissolved in the aqueous medium and (c) an ink set for inkjet comprising at least a first ink and a second ink, wherein the first ink

contains an aqueous medium and at least one of dyes of the formulas (1) to (4) as claimed by applicants dissolved or dispersed in the aqueous medium, and the second ink contains at least one compound capable of interacting with the at least one dyes of the formulas (1) to (4) as claimed by applicants dissolved or dispersed in the aqueous medium wherein the compound capable of interacting with the above dyes is selected from the group consisting of a polycationic compound having cationic groups of amines, a polycationic compound having cationic groups of guanidines, a polycationic compound having cationic groups of amidines, a polycationic compound having cationic groups of pyridine hetero groups, a polymer having an amino group in a backbone chain or side chain, a polymer having a guanidine group in a backbone chain or side chain, and a polymer having an amidino group in a backbone chain or side chain. The prior art of record generally teaches ink jet ink compositions containing at least one of dyes of the formulas (1) to (4) as claimed by applicants dissolved or dispersed in the aqueous medium but fails to teach or fairly suggest; (a) the addition of at least one of alkylene diols where one alkylene group has at least 3 carbon atoms or their homologues dissolved or dispersed in the aqueous medium; (b) the addition of at least one polymer compound dissolved in the aqueous medium or (c) a second ink containing at least one compound capable of interacting with the at least one dyes of the formulas (1) to (4) as claimed by applicants dissolved or dispersed in the aqueous medium wherein the compound capable of interacting with the above dyes is selected from the group consisting of a polycationic compound having cationic groups of amines, a polycationic compound having cationic groups of guanidines, a polycationic compound having

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cationic groups of amidines, a polycationic compound having cationic groups of pyridine hetero groups, a polymer having an amino group in a backbone chain or side chain, a polymer having a guanidine group in a backbone chain or side chain, and a polymer having an amidino group in a backbone chain or side chain as claimed by applicants. Furthermore, applicants have filed a certified English translation of their foreign priority, which entitles them to a date of March 27, 2003, which is earlier than any of the effective filing dates of U.S. Patent No 6,874,882 and U.S. Patent Application Publication No's. 2004/0070654 and 2004/0050291. Accordingly, the 102(e) and 103(a) rejections over each of the above references have been overcome. Applicants should note that the examiner has cited U.S. Patent Application Publications 2005/0162492, 2006/0092248, 2005/0178288, 2005/0117006, 2006/0044375 and 2006/0004125 however no rejections have been made over these references since the filing dates of the above references are after the filing date of the instant application (i.e. no 102(e) rejection). The only possible rejections would be obviousness type double patenting rejections and as per MPEP 804, if this is the only remaining rejection the earlier filed application should be passed to issue. Accordingly, the application is allowable.

### ***Conclusion***

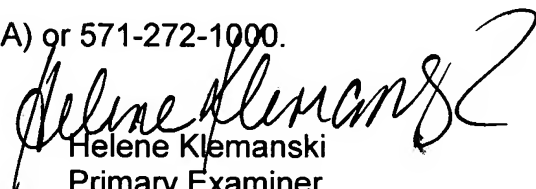
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Klemanski whose telephone number is (571) 272-1370. The examiner can normally be reached on Monday-Friday 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on (571) 272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Helene Klemanski  
Primary Examiner  
Art Unit 1755



HK  
December 5, 2006